

## CONCISE EXPLANATORY STATEMENT (CES)

### *Presumptive Coverage of Posttraumatic Stress Disorder (PTSD) as an Occupational Disease for Direct Care Registered Nurses*

#### **WAC 296-14-300 Mental condition/mental disabilities.**

The date of adoption for this rule amendment: December 19, 2023

The effective date for this rule amendment: January 19, 2024

#### **I. Purpose of rulemaking:**

The purpose of this rulemaking is to align existing WAC 296-14-300 with RCW 51.08.042 and 51.32.395 by adding direct care registered nurses to the list of those workers for whom coverage of PTSD under workers' compensation is presumed.

#### **2. Differences between the rule as adopted and the proposed rule:**

Reference to the new RCW stated as "RCW 51.32.--- (section 2, chapter 370, Laws of 2023)" in the proposed rule amendment was changed to "51.32.395" in the adopted rule amendment since Second Substitute Senate Bill 5454 was codified.

#### **3. Comments on proposed rule:**

The public comment period for this rulemaking began September 5, 2023 and ended October 17, 2023.

A public hearing took place on October 17, 2023, in-person at the Department of Labor & Industries headquarters in Tumwater and virtually on Zoom at 10:00am. Eleven people attended. Two people testified and two written comments were received. (One person provided a written comment and testified.)

All four comments were in support of the draft language and agreed that presumptive coverage of PTSD for nurses is crucial because it will provide needed resources and protect the nurses who serve our communities. There were no recommended changes to the language.

One person in the Zoom chat indicated they were not in favor of the proposed change. They wrote that the language "unfairly is targeted to RN's and not all other CNA's and healthcare workers that are responsible for direct care."